



[www.purpleturtlebar.com](http://www.purpleturtlebar.com)

Regeneration and Planning  
Development Management  
London Borough of Camden  
Town Hall  
Judd Street  
London  
W1CH 8ND

06 June 2014

**CHANGE OF USE FROM PUBLIC HOUSE (CLASS A4) TO RETAIL OR ESTATE AGENTS (CLASS A1/A2) AND RESIDENTIAL (CLASS C3) TO PROVIDE 8 FLATS (1 X 3BED, 4 X 2BED, 3 X 1BED). ENLARGEMENT OF EXISTING BASEMENT WITH SIDE LIGHTWELL, REPLACEMENT OF SINGLE STOREY REAR/SIDE ADDITION WITH 3 STOREY REAR/SIDE EXTENSION AND MANSARD ROOF WITH TERRACE, AND ASSOCIATED ALTERATIONS TO WINDOWS AND DOORS.**

**AT: HOPE & ANCHOR PUBLIC HOUSE, 74 CROWNDALE ROAD, NW1 (LPA REF: 2014/2621/P)**

Dear Seonaid,

As neighbouring occupiers, we write in response to the above planning application consultation. We own and operate the Purple Turtle Bar at 65 Crowndale Road, Camden.

We raise objection to the scheme in its current form, which fails to fully consider the long established character of its surrounding environment and the amenity of future residents. We question the suitability of the site for residential accommodation, unless it can be demonstrated that resident amenity would not be impacted by the existing noise and activities within the Town Centre, which include night time economy uses.

Introducing new noise sensitive uses such as residential adjacent to late night entertainment uses without appropriate assessment or mitigation measures, is not only contrary to planning policy, but is likely to lead to complaints over noise. Consequently, the proposal in its current form would result in a serious threat to established local businesses.

As has been demonstrated by previous cases, just one complaint would be enough to close an entire business and local employer that has been operating successfully for many years. This issue is one which the Council will be familiar with, not only in respect of the widely publicised proposals at Eileen House (MoS) in Southwark, but also in relation to the impact measures incorporated into the Councils own development at Maiden Lane given the relationship to the Egg nightclub.

Unfortunately, the proposals at the Hope & Anchor public House make no allowance for ensuring that the scheme is not impacted by established uses within the area and consequently there are no assurances that the future of existing businesses will be protected.

The Purple Turtle, along with other renowned local entertainment venues such as KOKO opposite our premises, are an integral part of the creative industry in London. They are community and cultural assets and provide significant local employment and associated employment in the wider industry.

We are a long established local business and local employer with a long term interest in the area. The business employs approximately 30 people at present. The events held at our venue help support many local businesses and jobs within the creative industry, from established businesses to up and coming artists and start-up businesses. We also play an important role in identifying, promoting and presenting new and emerging talent, much of which comes from within London.

The benefits of such uses are recognised in the London Plan and the Mayors Cultural Strategy 2012. London's cultural and creative sectors are central to the city's economic and social success. The Mayor's Cultural Metropolis seeks to maintain the capital's status as one of greatest world cities for culture and creativity (London Plan para. 4.32).

#### Noise and residential amenity

The application submission fails to even acknowledge that the proposed residential dwellings would be adjacent to numerous evening entertainment uses. Purple Turtle bar is a live music venue with capacity for up to 330 people and operate 7 days a week. The venue is responsibility managed in accordance with the terms of its license, with strict processes and procedures to minimise noise and disturbance. However, due to the nature of the use and number of visitors to the venue, it is unavoidable that some noise will be audible during day and night time hours. This would be especially relevant to new residential dwellings neighbouring such uses, which are likely to have habitable windows within metres of the street.

Please note, the proposed plans are not currently available to view on the website and therefore we cannot fully assess the location of habitable rooms within the proposed development. Consequently we reserve the right to review this aspect of the proposal and raise additional comments once the information has been made available on the Councils website.

As established by the Eileen House case in Southwark, the impact of proposed residential development on existing businesses requires full planning consideration, and development should not be permitted unless appropriate measures are in place to safeguard the amenity of residents and the future of such important businesses. In this case, the permission was granted after thorough noise assessments and much negotiation with measures secured by condition and in the s.106, to ensure that residents would not experience unacceptable noise levels within their homes. Measures were also incorporated that would remove the risk of noise complaints that could threaten the closure of the Ministry of Sound business opposite the site. In this case the measure included strict high quality acoustic glazing standards and non openable windows on the facades facing the club and queuing area. Furthermore, the applicants entered into a Deed of Easement which will allow the nightclub to continue to make the current levels of noise without fear of complaint from future residents of the development. Measures such as this may be necessary in this case, however this cannot be assessed until a noise assessment has been carried out and submitted with the proposed planning application.

A noise assessment should have been undertaken and submitted with the planning application. In the absence of this information, a proper assessment against policy DP28 'Noise and Vibration' cannot be undertaken. DP28 provides existing noise threshold limits in Table A at which planning permission will not be granted. Table B sets out existing noise levels where attenuation measures will be required.

There is insufficient information included in the planning application to enable a proper assessment against planning policy. Furthermore it would be inappropriate to condition such matters, without the relevant information to inform the planning decision. As such, we conclude that the application cannot be supported in its current form and in particular would be contrary to policy DP26 'Managing the impact of development on occupiers and neighbours' and DP28 'Noise and Vibration' which seeks to protect residential amenity and outlines planning permission will not be granted for development sensitive to noise in locations that have unacceptable levels of noise.

### Town Centre and the night time economy

The site is located in a Town Centre and in one of the Mayors strategic clusters of night time activity. These clusters can be particularly important to local economies and key agents in town centre regeneration. London Plan Policy 4.6 supports the continued success of London's diverse range of arts, cultural, and entertainment enterprises and the cultural, social and economic benefits that they offer to its residents, workers and visitors. Boroughs are therefore encouraged to seek to enhance the economic contribution and community role of arts, cultural and entertainment facilities.

Paragraph 4.36 states *"London is a great city for night time entertainment and socialising, with a unique selection of bars, restaurants, performing arts venues, cinemas and nightclubs. The night time economy also forms an important part of London's economy"*. The Mayor encourages a supportive approach to planning these diverse night time activities in appropriate locations. LDF's should recognise and address the opportunities and challenges posed by the strategically important clusters of night time activities concentrated in some of the main Town Centres and part of the CAZ and its fringe.

The Mayors draft 'Town Centres' SPD outlines that the evening and night time economy can make a significant contribution to town centre vitality and viability. It generates jobs and improves incomes from leisure and tourism activities, contributing not just to the vitality of the town centre but also making it safer by increasing activity and providing 'passive-surveillance'.

In accordance with CPG 5 'Town Centres, Retail and Employment', food, drink and entertainment uses should be located in areas where their impact can be minimised. It is reasonable to conclude from this that prominent high street frontages, amongst a mix of other commercial uses, including night-time uses are the most suitable and are therefore less suitable for residential uses, unless it can be demonstrated that residential amenity would be acceptable.

It is clear that planning policy emphasises the importance of a wide mix of uses to create vitality to high streets and town centres. Specifically policy acknowledges the role of the cultural and entertainment industry in contributing to the vitality of our Town Centres and London as a whole. Therefore planning has a responsibility to protect such existing businesses from inappropriate development that threatens their future.

### Loss of Public House

The Hope and Anchor Public House is currently vacant, following the owners decision to close it in November 2013. The Hope and Anchor is a traditional public house situated in a prominent Town Centre location. It was a long established business serving the needs of the local area. Camden has lost a number of pubs to alternative uses in recent years, as have neighbouring boroughs.

In some cases this is appropriate, and the use is genuinely no longer viable, or is not situated in a location suitable for such uses. The Hope & Anchor is in a prominent Town Centre location more suitable than most for such a use, as such the Council must be satisfied that in accordance with Camden planning policy, sufficient evidence has been provided by the applicant to demonstrate the use is no longer viable.

### Design and Heritage

The site is situated within the Camden Town Conservation Area. The impact of the proposal on the conservation area and adjacent Listed Buildings such as Koko (former Camden Palace) adjoining the site, should be fully assessed, not just in design terms, but in terms of the impacts on local business that occupy these buildings.

### Conclusions

It is acknowledged that one of the benefits of the area is its vibrant mix of uses, however any increased residential presence in the area, needs to be balanced against the suitability for sites to be used for residential occupation and the relationship of future residential occupiers to existing commercial uses, including night-time economy uses that do generate some element of noise.

We recognise the associated benefits redevelopment can have within the area, but this should not be at the cost of ours, and other established local businesses. The social and economic consequences of permitting a development which would threaten their future with possible closure, must be fully considered in any planning assessment. However based on the information within the application, the only possible conclusion is that there is insufficient information to be able to determine that the future of our venue, and other existing established businesses would be protected.

The following must be addressed before the application is determined:

- A noise assessment should be conducted to establish the existing levels of noise surrounding the site at all times of the day (including a sample of days and times when events are being held at nearby venues). This will establish the likely noise levels experienced within the proposed residential units;
- Based on the results of the noise assessment, appropriate noise mitigation measures must be incorporated into the design of the proposed development, in the same manner of the Councils own proposals at Maiden Lane, and within the Eileen house development;
- A Heritage Assessment as required by the NPPF should be submitted to assess the impact of the proposal on the adjacent Grade II Listed Building and the conservation area; and
- All proposed floorplans and elevations should be made available on the council's website.